

"DEDICATED TO FREEDOM OF THE ROAD"



ABATE of Michigan, Inc.

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Why Car insurance will Not go up if the Mandatory Helmet law is Repealed

Motorcyclists' efforts in Michigan to repeal the mandatory helmet law are in high gear. Every state that surrounds Michigan is a choice state for motorcyclists on the helmet issue. Fatality Rates are higher per 10,000 motorcyclists in Michigan than the surrounding states. Insurance rates for Michigan motorcyclists are higher than in surrounding states. Michigan motorcyclists pay into the Michigan Catastrophic Fund per each vehicle, every year. Michigan motorcyclists pay for their cars and their motorcycles. Many pay as much as 5 times or more into the Michigan Catastrophic Fund. Why did the Catastrophic Fund increase by over \$20.00 per policy in 2010? Motorcyclists are not covered if there is a single vehicle crash or in a crash with another motorcycle. No state in the country has increased their motorcycle insurance rate as a result of repealing a mandatory motorcycle helmet law. 30 states have repealed, modified, or didn't have a mandatory helmet law. In order to get a comprehensive view of the effects of repeal the stats from other recent states that have repealed their law are below.

Pennsylvania's "Legislative and Budget and Finance Committee" released a study of their helmet modification law in June of 2008. The study is titled the "Motorcyclist Injuries and Fatalities Since the 2003 Repeal of the Mandatory Law". This study reviews many aspects of the motorcycling community in Pennsylvania. Let's look at some of this data. In 2002, the number of motorcycle registrations was 248,775. In 2007, the number was 363,109. Motorcycle registrations increased over 100,000. The crashes per 10,000 rate in 2002 was 122.7. In 2007 it was 113.2. The per 10,000 crash ratio went down. The Penn Police Crash Reporting system, and Penn DOT Crash Information System and

Analysis Division also tracked helmeted and non-helmeted riders. Let's look at some of those results. "Reported Helmet Usage in Motorcycle Crashes Resulting in Fatalities" raw numbers for 2003-2007 were helmeted: 496, and non-helmeted: 385. Moving on to the "Major Injury" stats. From 2003-2007, there were 1,381 helmeted, and 1,220 non-helmeted, resulting in major injuries. "Moderate Injury" from 2003-2007, there were 4,041 helmeted, and 2,291 non-helmeted. "Minor Injury" from 2003-2007, there were 3,874 helmeted, and 1,974 non-helmeted. "Not Injured" from 2003-2007 1,059 helmeted, and 632 non-helmeted. "Helmet usage among Motorcycle Crash patients admitted to Trauma Centers" from 2003-2007, helmeted during crash: 3,372, and patients with no helmets during crash: 2,261.

What about Florida? Florida repealed their mandatory law in 2000. According to Florida's Department of Highway Safety & Motor Vehicles report Traffic Safety Facts, October 2010: Motorcycle registrations, since 2000, have risen 102%. Fatalities have increased in the same time period 63.4%. In addition, the Florida DHSMV's report in 2009 reported 53% of the motorcyclists killed in Florida were wearing a helmet. 61% of the motor vehicle vs the motorcycle collisions were the fault of the motor vehicle.

In conclusion, ABATE of Michigan has always supported tougher motorcycle licensing, rider education, and car driver awareness of motorcyclists to prevent motorcycle accidents. We have gone to the well several times, in the close to 30 years of the motorcycle safety program, to protect and fund the public program solely through cyclists contributions. **Helmets do not prevent crashes.** Helmets may or may not assist a rider in a traffic crash as the above facts prove, so let the adult rider decide. Because of the small number of motorcycle crashes compared to other motor vehicles, no state has increased or decreased their car drivers insurance rate in the country. We pay more than our fair share and car insurance in Michigan will not go up because of the repeal of the mandatory helmet law.

Thank you,

Vince Consiglio, President, ABATE of Michigan, abatemsf@tir.com

To: Michigan House of Representatives Insurance Committee

From: Vince Consiglio, President, ABATE of Michigan

RE: HB 4936

Dear Honorable Members,

ABATE of Michigan has major concerns with the motorcycle issues in this bill. We cannot accept the language pertaining to motorcycles and motorcycle operation on pages 23, 28, & 29. These pages are unacceptable and have no factual data to support the language. None of the 30 states, that do not have a helmet law, have any language or category of coverage revolving around the use or non-use of a helmet. In fact, from 1978-2004, statistics from NHTSA show that in every year, except two, the fatality rate in general was higher than in adult choice states. No state that borders Michigan has a mandatory helmet law or any type of insurance restriction for non-helmeted riders. The Insurance companies in these states do not offer a helmet wearing discount either. In the 2 most recent states to repeal: Florida, and Pennsylvania, the majority of motorcycle fatalities were wearing helmets.

Let's look at the history involved in the NO-Fault law as it pertains to motorcycles. Motorcyclists in Michigan pay the full catastrophic fee. They are covered in the fund if they are involved in an accident with a car, truck, or bus. They are not covered if they run off the road, hit a deer, hit another motorcycle, or any single vehicle accident. Yet they pay the full amount. 10 motorcyclists were killed in motorcycle deer crashes in 2010. All motorcyclists in Michigan also own a car, paying the full amount into the catastrophic fund.

ABATE of Michigan is NOT opposed to freedom of choice in insurance coverage. The current system is a direct result of a Michigan Supreme Court case, Kelly vs Shavers. Most of the car motorcycle accidents are the car drivers fault. We didn't fight that case, AAA did. We did offer an amendment to HB 4608 that all motorcyclists that opted for adult choice carried \$20,000 of medical coverage that could be verified by the Secretary of State. In closing, please remove the language mentioned and move Michigan choice Insurance forward.

Thank you,

Vince
Vince Consiglio

Motorcycle Laws

Motorcycle Noise Enforcement

At Harley-Davidson,® we love the sound of our V-Twins. But we know we can enjoy good sound quality and performance without making an excessive amount of noise.

As communities raise concerns about motorcycle noise, we must work together to respond in a constructive way. Unless we, as riders, take steps to be socially responsible, our right to ride and our lifestyle may be in jeopardy.

As you're planning your trip, please consider what you can do to avoid creating noise complaints in the communities you ride through.

MOTORCYCLE LAWS LEGEND

Remember, While other laws vary from state to state and province to province, all states and provinces require a motorcycle operator's license.

Every effort has been made to ensure the information is correct at the time of publication. However, the Harley-Davidson Motor Company, Rand McNally, the American Motorcyclist Association, and the Motorcycle and Moped Industry Council cannot assume responsibility for the accuracy of the information.

*Courtesy of the Insurance Institute for Highway Safety

- required by law
- no reference in administrative code or statutes
- ▲ available for all eligible applicants
- prohibited
- prohibited to use or possess
- ▲ required in carrying a passenger
- * night limits 55-65

1. helmetization required
2. must have in possession
3. required for novice riders
4. required under age 18
5. required under age 19
6. required under age 21
7. required under age 18, or operating under a learner's permit, or operating less than one year with license endorsement, or as a passenger of an operator required to wear protective headgear
8. required for passengers
9. required for instructional permit holders
10. required under age 16
11. required for first-time applicants
12. may waive skills test for successful completion of rider ed
13. may waive knowledge test for successful completion of rider ed
14. required unless equipped with windshield
15. required unless equipped with windshield which is 5" higher above handgrips
16. required at speeds over 35 mph
17. modulating headlight permitted
18. required for vehicles manufactured after 1/1/56
19. required for vehicles manufactured after 4/1/77
20. required for vehicles manufactured during or after 1978
21. required for vehicles manufactured during or after 1980
22. prohibits passengers under age 5
23. prohibits passengers under age 7
24. prohibits passengers under age 8
25. single earphone only
26. to be used for communication purposes only
27. required by inspect on regulations
28. random
29. animal emissions in some areas
30. upon tie transfer
31. not required over 21 with a minimum of \$10,000 in medical insurance
32. not required over 21 with successful completion of rider training or \$10,000 in medical insurance
33. not applicable if manufactured prior to 1975
34. not required to wear a helmet over 18 with proof of insurance
35. not required over 21 with two years experience or successful completion of rider ed
36. footrests not required
37. required if manufactured after 1968
38. required if manufactured after 1974
39. required if manufactured after 1973
40. required if manufactured after 1965

State/Province	Safety Helmet	State Funded Rider Ed	Eye Protection	Daytime Use of Headlight	Passenger Seat & Footrests	Passenger Age Restrictions	Helmet Sponkers	Mirror Left (L)	Mirror Right (R)	Periodic Safety Inspection	Turn Signals	Two Abreast in Same Lane	Maximum Rural/Urban* Interstate Speed Limits
United States													
Alabama	x	#		17	▲			x					70/65
Alaska	x-4,8		x-15	x-17	▲			x (L,R)		x-28			65/55
Arizona	x-4	#-12	x-14	17	▲			x		x-29			75/65
Arkansas	x-6		x	x-17	▲	24		x				●	70/55
California	x	#-6,12		x-17,20	▲		25	x	x-28	x		●	70/65
Colorado	x-4,8 ●	#-12	x	17	▲			x	x-28				75/65
Connecticut	x-4,9	#-4,12	x-14	x-17,21	▲			x	x-28				65/65
Delaware	x-1,2,5,9	#-4,12,13	x	17	▲			x	x			●	65/55
Florida	x-31	#-11	x	x-17	▲			x			x		70/65
Georgia	x	#-12,13	x-14	x-17	▲		26	x					70/65
Hawaii	x-1,4	#-12	x-14		▲	23		x	x				60/50
Idaho	x-4	#-6,12		17	▲			x				●	75/75
Illinois		#-4,12,13	x-14	x-17	▲	26		x				●	65/55
Indiana	x-4,9	#-12	x-4	x-17,18	▲			x-18					70/55
Iowa		#-4,12		x-17,19	▲			x					70/55
Kansas	x-4	#-12,13	x-14	x-20	▲			x (L)	x-28	x-39		●	70/70
Kentucky	x-3,6,9	#-12	x		▲			x	x-29			●	65/65
Louisiana	x	#-12	x-14	17	▲	22		x (L)	x	x			70/70
Maine	x-4	#-11,12,13		x	▲			x		x-38			65/65
Maryland	x	#-4,12,13	x-14	17	▲		25	x (L,R)	x-30				65/65
Massachusetts	x	#-12	x-9,14	17	▲		□	x	x	x			65/65
Michigan	x	#-4,12	x-14,16	17	▲			x	x-28				70/65
Minnesota	x-4,9	#-4,12	x	x-17	▲		25	x	x-28				70/65
Mississippi	x											●	70/70
Missouri	x	#-12		17						x		●	70/60
Montana	x-4	#-12		x-17	▲			x					75/65
Nebraska	x	#-12,13		17	▲								75/65
Nevada	x	#-12,13	x-14	17	▲			x (L,R)			x-39		75/65
New Hampshire	x-4	#-12	x-14	17	▲			x	x				65/65
New Jersey	x-1	#-12	x-9,14	17	▲			x	x			●	65/55
New Mexico	x-1,4	#-4,12,13	x-14	17	▲			x	x-28	x		●	75/75
New York	x	#-12	x	x-17	▲		25	x	x	x-40			65/65
North Carolina	x	#-12		x-17	▲			x	x				70/70
North Dakota	x-1,4	#-10		17	▲			x					75/75
Ohio	x-3,4	#-4,12	x-14	17	▲			x	x-28	x-37			65/65
Oklahoma	x-4		x-14	x-17	▲			x (L,R)				●	75/70
Oregon	x	#-6,12,13		x-17	▲				x-28	x			65/55
Pennsylvania	x-35	#-12,13	x	x-17,39	▲		26	x19,27	x				65/55
Rhode Island	x-3,6,8	#-11,12,13	x		▲		□	x	x				65/55
South Carolina	x-1,6	#	x-6,14	x-17	▲			x					70/70
South Dakota	x-4	#-12,13	x-14	17	▲			x			x		75/75
Tennessee	x	#-12,13	x-14	x-17	▲			x					70/70
Texas	x-6,32	#-4,12		x-17,33	▲,36			x	x			●	75/70*
Utah	x-4	#-12		17	▲			x	x				75/65
Vermont	x-1	#-12	x-14	17	▲			x	x	x		■	65/55
Virginia	x	#-12	x-14	17	▲		26	x	x			■	70/70
Washington	x	#-4,12,13	x-14	x-17	▲	22		x (L,R)	x-28				70/60
West Virginia	x	#-12,13	x	x	▲			x	x	x		●	70/55
Wisconsin	x-4,9	#-4,12	x-15	x-17	▲			x	x-28	x			65/65
Wyoming	x-4	#-12		x-17	▲			x					75/60
District of Columbia	x-1		x-14	17	▲			x	x				NA/55
Puerto Rico	x		x	x	▲			x	x				N/A
Canada													
Alberta	x	N/A		x	▲	N/A	26	x			x	■	N/A
British Columbia	x	N/A		x	▲	N/A	26	x	x-29		x	■	N/A
Manitoba	x	N/A		x	▲	N/A	26	x			x	■	N/A
New Brunswick	x	N/A		x	▲	N/A	26	x			x	■	N/A
Newfoundland & Labrador	x	N/A	x-14	x	▲	N/A	26	x			x	■	N/A
Northwest Territories	x	N/A		x	▲	N/A	26	x (L,R)			x	■	N/A
Nova Scotia	x	N/A		x	▲	N/A	26	x	x-29		x	■	N/A
Ontario	x	N/A		x	▲	N/A	26	x			x	■	N/A
Prince Edward Island	x	N/A		x	▲	N/A	26	x	x	x	x	■	N/A
Québec	x	N/A		x	▲	N/A	26	x (L,R)			x	■	N/A
Saskatchewan	x	N/A	x-14	x	▲	N/A	26	x	x-30		x	■	N/A
Yukon	x	N/A		x	▲	N/A	26	x			x	■	N/A

Do Helmet Laws Affect Safety: The Facts

50 State Data, Fatalities in Percent of Registrations

